

**Zoning Board of Adjustment
Regular Meeting Minutes
September 20, 2023**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, September 20, 2023 at 6:30pm., in the Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey.

Members Present:

Mr. Michael Cannilla, Chairman
Mr. Jeffrey Noss, Vice Chairman
Mr. John Novalis
Mr. Brian O’Connor
Mr. Michael Shiviets
Mr. Ed Facas

Members Absent:

Mr. Rick Zeien
Mr. Jason Jensen

Also Present:

Mr. Michael Mullen, Esq., Board Attorney

Call to Order:

Mr. Cannilla, Chairman called the meeting to order at 6:30 p.m.

Statement of Adequate Notice:

Mr. Cannilla asked the Board Secretary if the statutory requirements of the Open Public Meetings Act had been met. Board Secretary Marlene Rawson responded that we are in compliance with the requirements.

Resolution of Approval:

5. **Marco & Nicole Iacovo** **Application #BOA23-5**
 67 West End Avenue
 Block 3302, Lot 17 (R-15 zone)

Applicant is seeking variance approval for excess building coverage in connection with the construction of a carport on the east side of the dwelling and a pre-existing detached garage.

Mr. O’Connor made a motion to approve the resolution, second by Mr. Facas.

Roll Call: On a roll call vote all members present and eligible voted to approve the resolution.

C-Variance:

6. **Evergreen Landscape & Design** **Application #BOA23-7**
 19 & 21 Indian Lane
 Block 3201, Lots 6 & 7

Applicant is seeking approval of a variance for a retaining wall height that exceeds 4 feet, and preexisting excess improved lot coverage on Lot 6.

Matthew Rozell, of Evergreen Landscape and Design was sworn in. He is a certified wall builder with 18 years of experience.

He is making the application on behalf of the owners of 19 and 21 Indian Lane. They have a shared driveway that is held up by a retaining wall. The driveway is between the properties and the land behind the driveways is steeply sloped. The retaining wall is 10.5 feet high where the maximum height is four feet. It is made of railroad ties that are rotted and failing in multiple areas. The driveways are sinking due to the failing wall.

The plan is to replace the wall with a modular block wall comprised of Cambridge Paving Stones. This is a straight replacement of the wall with no change in the setback. The two sets of stairs (one on each property) will be replaced as well. The project is fully engineered.

Mr. Rozell explained the building process to the Board. There were questions and discussion on the procedure.

John Novalis asked about a barrier of some kind at the end of the driveway since the wall is so high. Mr. Rozell agreed and stated that there is a code requirement that they will comply with.

There were no other questions or comments. Mr. Cannilla called for a motion.

Mr. O'Connor made a motion to approve the application, second by Mr. Novalis
Roll Call: On a roll call vote all members present and eligible voted to approve the application.

7. Jonathan Golden & Priscilla Sanches Application #BOA23-8
91 Ridgedale Avenue
Block 2203, Lot 13

Applicant is seeking approval of a side-yard setback variance in connection with a proposed addition. Property currently has a pre-existing, non-conforming side-yard setback on the same side that is not changing.

Robie Wood, Architect and Jonathan Golden, homeowner, were sworn in. Mr. Golden stated that he has lived in Florham Park for ten years and is invested in the community. He now has children and needs additional space.

Mr. Wood described the home and location. The project involves an addition and a deck. It is a 1920 home that is located in the middle of the block. The existing garage is located .3 feet from the property line. This is an existing, non-conforming setback. It is a deep lot but has a very short width of 80 feet. The home is somewhat smaller than what is in the area. Additionally, the lot is not parallel to the house.

The position of the proposed addition takes into account the rear landscape and the orientation of the sun and the view. They want to maintain daylight access and natural light. A single story family room addition is the subject of the side-yard setback non-conformity. It is located behind the attached garage and follows the line of the garage. The addition will result in a side-yard setback deficiency of 6.2 feet where 10 feet is required. The addition drops further away from the property line as it goes into the rear yard. It is not visible and will not impact Ridgedale Avenue.

John Novalis asked if the addition could be moved further away from the property line since it is very close to the neighbor. Robie Wood replied that doing that would cover the existing house. He added that it is on the neighbor's driveway side. The neighbor wrote a statement in support of the application. It was stated that the letter can't be accepted because it cannot be cross-examined.

Jeff Noss asked about moving it to comply with the ten-foot setback. Robie Wood said that the room would end up being only thirteen feet wide.

Mike Cannilla said that the Board will not tell you what to do. We are only making observations. He said that the addition is adding more mass and seems more imposing on that side. He wondered if there was a way to maintain the setback.

Mike Cannilla asked if he wanted to think about ways to adjust the addition in order to conform. He asked about reorienting the kitchen. Robie Wood replied that they considered many options but the overall circulation would be impacted. There was more discussion about ways to increase the setback.

Mike Cannilla told him if he wanted to think about it, they could carry the application to a future meeting and it would not require any new notice. Robie Wood asked for a break to confer with his client.

Break: 7:45-7:50pm

Upon returning, Robie Wade asked if they could carry the application to the October 4, 2023 meeting. Mr. Noss said that if they meet the setback and remove the need for a variance, they do not have to return to the Board. Mr. Novalis added that the garage is a preexisting situation, but you can change the plan.

Mr. Novalis made a motion to carry the application to the October 4, 2023 meeting without further notice or publication, second by Mr. O'Connor.

Roll Call: On a roll call vote all members present and eligible voted to carry the application.

On a motion duly made and seconded the meeting was adjourned at 8:00 p.m.

Marlene Rawson
Board Secretary

September 20, 2023